
SENATE BILL No. 294

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-4-1.

Synopsis: Subpoena powers of the general assembly. Provides that a subpoena or other process issued by a committee of the house of representatives must be signed by the speaker of the house of representatives and the committee's chair. Provides that a subpoena or other process issued by a committee of the senate must be signed by the president pro tempore of the senate and the committee's chair. Removes the following requirements: (1) That a subpoena or other process issued by a legislative committee must be authorized by a resolution of the committee's respective chamber. (2) That a subpoena issued under the authority of the general assembly must be pursuant to an investigation. Makes technical changes.

Effective: July 1, 2005.

Steele

January 6, 2005, read first time and referred to Committee on Judiciary.

C
o
p
y



Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 294

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 2-4-1-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: Sec. 1. ~~Whenever pursuant to a~~
3 ~~resolution of the general assembly or either house thereof and pursuant~~
4 ~~to the authority vested in the general assembly or either house thereof~~
5 ~~an investigation is instituted in aid of its proper legislative functions;~~
6 ~~the house of representatives or the senate; or any committee of either~~
7 ~~or of both of said houses to which the duty of said investigation shall~~
8 ~~be entrusted; shall have~~ **Any of the following has** the power to
9 subpoena witnesses ~~or send for and compel the production of books,~~
10 records, papers, and documents:

11 **(1) The house of representatives, under a resolution adopted**
12 **by the house of representatives.**

13 **(2) The senate, under a resolution adopted by the senate.**

14 **(3) A joint committee of both the house of representatives and**
15 **the senate, under a resolution adopted by the house of**
16 **representatives and the senate.**

17 **(4) The chair of a committee of the house of representatives,**



C
o
p
y

1 with the approval of the speaker of the house of
2 representatives.

3 **(5) The chair of a committee of the senate, with the approval**
4 **of the president pro tempore of the senate.**

5 SECTION 2. IC 2-4-1-2 IS AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2005]: Sec. 2. **(a) All ~~subpoenae~~ Subpoenas**
7 **and other processes issued by any such committee or by the general**
8 **assembly under section 1 of this chapter** shall be served by the chief
9 doorkeeper of the house or the chief doorkeeper of the senate and ~~shall~~
10 **must be signed by one of the following:**

11 (1) The speaker of the house ~~or of representatives.~~

12 (2) The president of the senate.

13 **(3) The following for a subpoena or other process issued by a**
14 **committee of the house of representatives:**

15 (A) The speaker of the house of representatives.

16 (B) The committee's chair.

17 **(4) The following for a subpoena or other process issued by a**
18 **committee of the senate:**

19 (A) The president pro tempore of the senate.

20 (B) The committee's chair.

21 **(b) All ~~such subpoenae~~ subpoenas and other processes issued**
22 **under this chapter** shall be returnable at such time as ~~the committee~~
23 ~~may designate:~~ **designated in the subpoena or other process.**

24 SECTION 3. IC 2-4-1-4 IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2005]: Sec. 4. A person who, having been
26 summoned as a witness ~~by the authority of either the house or senate~~
27 ~~of the general assembly of the state of Indiana; under this chapter~~ to
28 give testimony or to produce papers upon any matter under inquiry
29 before: ~~either~~

30 (1) the house ~~or of representatives;~~

31 (2) the senate; ~~or any~~

32 (3) a committee of either the house or the senate; ~~or~~

33 (4) a joint committee of the house and the senate;

34 knowingly makes default, or who, having appeared, refuses to answer
35 any question pertinent to the question under inquiry, commits a Class
36 A misdemeanor.

C
o
p
y

